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PTO/SB/21 (08-00)
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/037,584
Filing Date	10/23/2001
First Named Inventor	Michael K. Brown
Group Art Unit	
Examiner Name	
Attorney Docket Number	401052-B-01-US (Brown)

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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OFFICE OF PETITIONS

Remarks

Enclosed also:
Declaration papers
Petition Under 37 CFR 1.47(a)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	John C. Moran, Attorney, P.C.
Signature	<i>John C. Moran</i>
Date	05/01/2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 05/02/2002

Typed or printed name	John C. Moran		
Signature,	<i>John C. Moran</i>	Date	05/02/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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COPY OF PAPERS
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PTO/SB/17 (10-01)

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OFFICE OF PETITIONS

Complete if Known

Application Number	10/037,584
Filing Date	10/23/2001
First Named Inventor	Michael K. Brown
Examiner Name	
Group Art Unit	
Attorney Docket No.	401052-B-01-US (Brown)

**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number: 501602
- Deposit Account Name:
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☐ Payment Enclosed:
- ☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	740	201 370	Utility filing fee	
106	330	206 165	Design filing fee	
107	510	207 255	Plant filing fee	
108	740	208 370	Reissue filing fee	
114	160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

	Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims		-20** =	X	
Multiple Dependent		-3** =	X	

	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103	18	203 9	Claims in excess of 20	
102	84	202 42	Independent claims in excess of 3	
104	280	204 140	Multiple dependent claim, if not paid	
109	84	209 42	** Reissue independent claims over original patent	
110	18	210 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65	Surcharge - late filing fee or oath	130.00
127	50	227 25	Surcharge - late provisional filing fee or cover sheet	
139	130	139 130	Non-English specification	
147	2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112 920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840*	Requesting publication of SIR after Examiner action	110.00
115	110	215 55	Extension for reply within first month	
116	400	216 200	Extension for reply within second month	
117	920	217 460	Extension for reply within third month	
118	1,440	218 720	Extension for reply within fourth month	
128	1,960	228 980	Extension for reply within fifth month	
119	320	219 160	Notice of Appeal	
120	320	220 160	Filing a brief in support of an appeal	
121	280	221 140	Request for oral hearing	
138	1,510	138 1,510	Petition to institute a public use proceeding	
140	110	240 55	Petition to revive - unavoidable	
141	1,280	241 640	Petition to revive - unintentional	
142	1,280	242 640	Utility issue fee (or reissue)	
143	460	243 230	Design issue fee	
144	620	244 310	Plant issue fee	130.00
122	130	122 130	Petitions to the Commissioner	
123	50	123 50	Processing fee under 37 CFR 1.17(q)	
126	180	126 180	Submission of Information Disclosure Stmt	
581	40	581 40	Recording each patent assignment per property (times number of properties)	
146	740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279 370	Request for Continued Examination (RCE)	
169	900	169 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 370.00)

SUBMITTED BY


Complete (if applicable)

Name (Print/Type)	John C. Moran	Registration No. (Attorney/Agent)	30782	Telephone	303-450-9926
Signature	<i>John C. Moran</i>	Date	05/01/2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

#4

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 401052-B-01-US (Brown)	
	In re Application of Michael K. Brown, et al.		
	Application Number 10/037,584		Filed 10/23/2001
	For		
	Group Art Unit		Examiner

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- ☒ One month (37 CFR 1.17(a)(1)) \$ 110.00
- ☐ Two months (37 CFR 1.17(a)(2)) \$ _____
- ☐ Three months (37 CFR 1.17(a)(3)) \$ _____
- ☐ Four months (37 CFR 1.17(a)(4)) \$ _____
- ☐ Five months (37 CFR 1.17(a)(5)) \$ _____
- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ _____.
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 501602.
- I have enclosed a duplicate copy of this sheet.

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- I am the ☐ applicant/inventor
- ☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☒ attorney or agent of record.
- ☐ attorney or agent under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a) _____.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

05/01/2002
Date

John C. Moran
Signature
John C. Moran
Typed or printed name

05/15/2002 AWONDAF1 00000115 501602 10037584
03 FC:115 110.00 CH

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.



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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/037,584	10/23/2001	Michael K. Brown	401052-B-01-US(Brown)

Docket Administrator (Room 1L-202)
Avaya Inc.
101 Crawfords Corner Road
P.O. Box 629
Holmdel, NJ 07733-3030



CONFIRMATION NO. 6513

FORMALITIES LETTER



OC000000007416132

Date Mailed: 02/04/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

S. Gorems

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/15/2002 AWONDAF1 00000115 501602 10037584

01 FC:105 130.00 CH

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Patent Application

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MAY 17 2002

Inventors

Michael K. Brown
Norman C. Chan
Sharmistha Sarkar Das
David J. Skiba
Danny M. Wages

OFFICE OF PETITIONS

Case 401052-B-01-US (Brown)

Serial No. 10/037,584

Filing Date 10/23/2001

Title A Unified Call Classifier For Processing Speech
And Tones As A Single Information StreamASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D. C. 20231

SIR:

PETITION UNDER 37 CFR §1.47(a)

Enclosed with this petition is a Declaration and Power of Attorney document signed by Norman C. Chan, Sharmistha Sarkar Das, David J. Skiba, and Danny M. Wages. Mr. Michael K. Brown, an inventor, has refused to sign this document. The other inventors request that Mr. Brown be joined as a joint inventor under 37 CFR §1.47(a).

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

05/02/2002 Date Being Mailed John C. Moran Signature

05/15/2002 AWD/DAF1 00000115 501602 10037584
02 FC:122 130.00 CH

Statement Of Facts

The facts concerning Mr. Brown's refusal to sign are as follows. The above-identified patent application was filed without a signed Declaration and Power of Attorney document on October 23, 2001. (A second application, 401052-A-01-US (Brown) of which Mr. Brown is an inventor, was also filed at this time. Mr. Brown has also refused to sign the Declaration document for that application.) When the serial number for the filed patent application was received, an email copy of the attached document was sent to Mr. Brown on February 28, 2002 by Kate Robertson (see Exhibit A). Mr. Brown responded to this email from Kate Robertson stating that he was an inventor and wanting to be paid for his time for reviewing and signing the document or receive a patent incentive award that Avaya Inc. gives only to active employees (see Exhibit B). Mr. Brown had retired from Avaya Inc. in August, 2001. After a signed Declaration and Power of Attorney document was not received from Mr. Brown, another Declaration and Power of Attorney document, assignment document, and application were sent to Mr. Brown on April 6, 2002, by John C. Moran (see Exhibit C). In response to an email inquiry of April 17, 2002, from John C. Moran, Mr. Brown responded by email on April 24, 2002, stating that he would not sign the Declaration and Power of Attorney and assignment documents. As a last step, I, John C. Moran, called Mr. Brown on April 24, 2002, at approximately 8:00 p.m. MST, and asked him to sign only the Declaration and Power of Attorney document. Mr. Brown stated that he refused to sign that document.

Mailing Address For Mr. Brown

The mailing address for Mr. Brown is as follows:

Michael K. Brown
285 Lewis Street
North Plainfield, NJ 07060

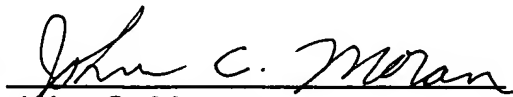
Payment Of Petition Fee

Please charge **Avaya Inc.'s Deposit Account No. 501602** the amount of **\$130**, to cover the fee for filing this petition. In the event of non-payment or improper payment of a required fee, the Assistant Commissioner is authorized to charge or to credit **Deposit Account No. 501602** as required to correct the error.

Respectfully,

Norman C. Chan
Sharmistha Sarkar Das
David J. Skiba
Danny M. Wages

By



John C. Moran
Patent Attorney
Reg. No. 30,782
303-450-9926

Date: 05/01/2002

John C. Moran, Attorney, P.C.
4120 115th Place
Thornton, CO 80233

Main Identity

From: "Robertson, Kate (Kate)" <binkey@avaya.com>
To: "John Moran" <jmoran18819@earthlink.net>
Sent: Monday, March 11, 2002 4:16 PM
Attach: 401052-A-BrownLateDec.doc; 401052-B-BrownLateDec.doc; 401052 B BrownLateAssignment.doc; 401052 A BrownLateAssignment.doc
Subject: FW: Formal Papers

-----Original Message-----

From: Robertson, Kate (Kate)
Sent: Thursday, February 28, 2002 12:27 PM
To: 'MikeBrown'
Subject: Formal Papers

Hi Mike.

Thanks for getting back with me on this.

Attached are the formal papers for both applications that you submitted.

<<401052-A-BrownLateDec.doc>> <<401052-B-BrownLateDec.doc>> <<401052 B BrownLateAssignment.doc>> <<401052 A BrownLateAssignment.doc>>

After signing and having notarized (the Assignments need notarized) please mail these back to me at the following address:

Kate Robertson
Avaya - Rm. 2U41
1300 W. 120th Ave.
Westminster, CO 80234

Thanks Mike. Sorry this is catching you at an inconvenient time !! Any questions, please call me on 303-538-4211.

Kate Robertson

Robertson, Kate (Kate)

From: Michael K. Brown [mkb@cydyreal.com]
Sent: Friday, March 01, 2002 12:59 PM
To: Robertson, Kate (Kate)
Cc: Michael K. Brown
Subject: Re: Formal Papers

Kate,

I understand. I know a little bit about patent law from running into patent issues in the past so many times. John told me several months ago, when I first worked with him, that Avaya can pay this award, but they might need to bring me in as a consultant to deal with getting a check cut through their payroll, where such checks normally are issued.

I guess they just didn't want to be bothered.

I'm sorry you are in the middle of this, but I need to encourage Avaya to do the right thing. I'm still hopeful we can come to an agreement on compensation, but it looks like I'm going to have to work at it a little more.

Best,
Mike

Robertson, Kate (Kate) wrote:

> Mike,
>
> In that I'm not an attorney, I don't know what can and can't be done
> about this. I was just trying to help John Moran get this paperwork
> done in that he's traveling overseas right now. Maybe you can give him
> a call when you get back from your trip.
>
> Kate
>
> -----Original Message-----
> From: Michael K. Brown [mailto:mkb@cydyreal.com]
> Sent: Friday, March 01, 2002 12:35 PM
> To: Robertson, Kate (Kate)
> Cc: Michael K. Brown
> Subject: Re: Formal Papers
>
>
> Kate,
>
> Legally at this point they cannot just drop my name from the patent
> under U.S. Patent law unless they can prove I made no material
> contribution. This would be difficult since I authored the original
> submission document. Although it was expanded later, it would look
> pretty shady to just drop me off at this point. I think they would have
>
> to rewrite the whole set of claims.
>
> This refusal to honor the award program is a discretionary decision on
> some manager's part, apparently thinking I have no recourse. An
> alternative approach to resolve this issue would be for Cydyreal to
> invoice Avaya for time and expenses. If they are willing to consider
> such an option, then we may achieve the same result by a different path.
>
> Regards,
> Mike
>
> Robertson, Kate (Kate) wrote:

>
>
>>Mike, I understand. If you'd like, at this point, you can just sign
>>
> the
>
>>papers and put them in the mail without notarization, at least this
>>
> way
>
>>your name will get put on the patent.
>>
>>I understand how you must feel. Let me know what you decide to do.
>>
>>Kate Robertson
>>303-538-4211
>>
>>
>>-----Original Message-----
>>From: Michael K. Brown [mailto:mkb@cydyreal.com]
>>Sent: Friday, March 01, 2002 11:26 AM
>>To: Robertson, Kate (Kate)
>>Cc: Michael K. Brown; Hopkins, Catherine F (Cathy)
>>Subject: Re: Formal Papers
>>
>>
>>Kate,
>>
>>I was just informed through Ravi Sethi's organization that Avaya has
>>
> no
>
>>intention of honoring the patent awards program for these filings
>>
> since
>
>>I am a retiree and no longer with the company, and their view is that
>>these filings were done after I left (although I made the original
>>submission many months earlier). This is unfortunate since I've
>>
> already
>
>>devoted considerable unpaid time helping to prepare these documents
>>
> over
>
>>several months since late last year, and it would just incur
>>
> additional
>
>>lost time and money to print, prepare, get notarization and mail these
>>
>
>>documents. Given that I'm also trying to get taxes done before I
>>
> leave
>
>>tomorrow this puts me in a needless time crunch to get these out
>>
> today,
>
>>so I'm sorry for the inconvenience to you personally but I will not be
>>
>
>>able to complete the signing before I leave.
>>
>>If necessary, we may try again when I return in early April.

>>
>> Mike
>>
>>
>>Robertson, Kate (Kate) wrote:
>>
>>
>>
>>>Hi Mike.
>>>
>>>Thanks for getting back with me on this.
>>>
>>>Attached are the formal papers for both applications that you
>>>
>>>
>>submitted.
>>
>>
>>><<401052-A-BrownLateDec.doc>> <<401052-B-BrownLateDec.doc>> <<401052 B
>>>
>>>
>>>BrownLateAssignment.doc>> <<401052 A BrownLateAssignment.doc>>
>>>
>>>After signing and having notarized (the Assignments need notarized)
>>>please mail these back to me at the following address:
>>>
>>>Kate Robertson
>>>Avaya - Rm. 2U41
>>>1300 W. 120th Ave.
>>>Westminster, CO 80234
>>>
>>>Thanks Mike. Sorry this is catching you at a inconvenient time !!
>>>
>>>
>>Any
>>
>>
>>>questions, please call me on 303-538-4211.
>>>
>>>Kate Robertson
>>>
>>>
>>>
>>
>
>

--
Michael K. Brown, Ph.D. mkb@cydyreal.com
President, Cydyreal, Inc. (908)561-1281
MOBILE: (908)578-8804 FAX: (908)754-7696

John C. Moran, Attorney

Exhibit C

TELEPHONE (303) 450-9926
FAX (303)-920-9113

A PROFESSIONAL CORPORATION
4120 E. 115th PLACE
THORNTON COLORADO 80233

EMAIL
jmoran18819@earthlink.net

April 6, 2002

Michael K. Brown
285 Lewis Street
North Plainfield, NJ 07060

Dear Mr. Brown:

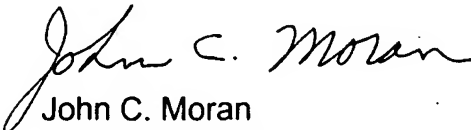
Re: United States Patent Application Serial No. 10/037,588
United States Patent Application Serial No. 10/037,584

The above-identified patent applications were filed on October 23, 2001 without signed Declarations. You had previously received Declaration and Power of Attorney plus Assignment papers for the above-identified patent applications but have refused to sign these papers as stated in your email messages to Kate Robertson and myself. In your email messages, you have also clearly stated that you are an inventor of the above-identified patent applications and that you had spent a large amount of time assisting in the preparation of these applications. Let me thank you again for your help in the preparation of these applications. On the possibility that you have decided to sign the papers for these applications but have lost the original papers, I am enclosing copies of the above-identified patent applications as filed along with new Declaration and Power of Attorney plus Assignment papers. If you wish to sign, please just sign the papers in blue ink and return them to me. You do not have to have the papers notarized. I have included a return envelope with postage for the Declaration and Power of Attorney plus Assignment papers.

If your decision is not to sign, then, I will be required to follow well established U.S. Patent and Trademark Office procedures to have these papers filed without your signature. These procedures are designed to handle cases where an inventor refuses to sign the Declaration and Assignment papers. You will still be an inventor, and your name will appear as such on any patents that may issue from these applications.

If you wish to speak with me, please call me at 303-450-9926.

Yours truly,


John C. Moran
Patent Attorney

Encs.

CC:
Ravi Sethi
David Volejnicek

Main Identity

From: "Michael K. Brown" <mkb@cydyreal.com>
To: "John Moran" <jmoran18819@earthlink.net>
Cc: "Michael K. Brown" <mkb@cydyreal.com>
Sent: Wednesday, April 24, 2002 12:45 PM
Subject: Re: Patent Applications - 401052-A-01-US (Brown) and 401052-B-01-US (Brown)

John,

I got your phone message when I returned this afternoon. If I understand the message correctly you made the following points:

1. the duplicate numbering of inventors will not be an issue for the PO
2. Avaya Technology Corp. is correct. I take this to mean the IP is held in a separate entity for greater asset protection. Can you tell me if the IP would be protected during a bankruptcy process? (A side interest, as an investor this is worth knowing.)
3. you state that signing the assignment only commits me to signing further documents.

I have no issue with items #1 and #2. Let me include here the exact wording from the assignment document that causes me concern:

"We agree that, when requested, we shall, without charge to Avaya Technology Corp. but at its expense, sign all papers, [=>] and DO ALL ACTS [=] which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection."

While I am not a legal expert, I can read plain English perfectly well, and this clearly and explicitly states that I would agree to more than just signing documents.

I'm sorry for the inconvenience, John, but given this wording and your explanation, I am no longer comfortable signing these documents without

seeking my own legal advice at this point. In the absense of a requirement for me to undertake that expense, I believe it is more expedient to decline to sign these documents.

Mike



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Declaration and Power of Attorney

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **A UNIFIED CALL CLASSIFIER FOR PROCESSING SPEECH AND TONES AS A SINGLE INFORMATION STREAM**, the specification of which was filed in the United States Patent and Trademark Office on **October 23, 2001**, as application Serial No. **10/037,584**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this oath or declaration.

I acknowledge the duty to disclose all information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

None

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

None

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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MAY 17 2002

OFFICE OF PETITIONS

I hereby appoint the following attorney(s) with full power of substitution and revocation, to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith:

Brian K. Dinicola	(Reg. No. 36122)
Paul Gardon	(Reg. No. 48761)
Robert E. Rudnick	(Reg. No. 36260)
David Volejnicek	(Reg. No. 29355)
Don L. Webber	(Reg. No. 34275)

I hereby appoint the attorney(s) on ATTACHMENT A as associate attorney(s) in the aforementioned application, with full power solely to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected with the prosecution of said application. No other powers are granted to such associate attorneys(s) and such associate attorney(s) are specifically denied any power of substitution or revocation.

Full name of 1st joint inventor: **Michael Kenneth Brown**

Inventor's signature _____ Date _____

Residence: **North Plainfield, Somerset, New Jersey**

Citizenship: **USA**

Post Office Address: **285 Lewis Street
North Plainfield, NJ 07060**

Full name of 2nd inventor: **Norman C. Chan**

Inventor's signature *Norman C. Chan* Date *3/6/2002*

Residence: **Louisville, Boulder County, Colorado**

Citizenship: **USA**

Post Office Address: **1818 Eisenhower Drive
Louisville, CO 80027**

Full name of 3rd inventor: Sharmistha Sarkar Das

Inventor's signature Sharmistha Das Date March 5, 2002

Residence: **Broomfield, County of Broomfield, Colorado**

Citizenship: **USA**

Post Office Address: **2830 Elaine Drive,
Broomfield, CO 80020**

Full name of 3rd inventor: David Joseph Skiba

Inventor's signature David Joseph Skiba Date February 27, 2002

Residence: **Columbus, Franklin County, Ohio**

Citizenship: **USA**

Post Office Address: **3111 Derby Road
Columbus, Ohio 43221**

Full name of 3rd inventor: Danny M. Wages

Inventor's signature _____ Date _____

Residence: **Boulder, Boulder County, Colorado**

Citizenship: **USA**

Post Office Address: **388 Nightshade Drive
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Full name of 3rd inventor: Sharmistha Sarkar Das

Inventor's signature _____ Date _____

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Citizenship: **USA**

Post Office Address: **2830 Elaine Drive,
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Full name of 3rd inventor: David Joseph Skiba

Inventor's signature _____ Date _____

Residence: **Columbus, Franklin County, Ohio**

Citizenship: **USA**

Post Office Address: **3111 Derby Road
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Full name of 3rd inventor: Danny M. Wages

Inventor's signature *Danny M Wages* Date 3-4-02

Residence: **Boulder, Boulder County, Colorado**

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ATTACHMENT A

Attorney Name(s): John C. Moran Reg. No. 30782

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